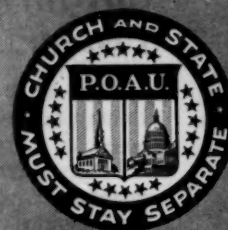


CHURCH AND STATE

A MONTHLY REVIEW



VOL. 8, NO. 7

JULY, 1955

Knights Lack Proof, But Won't Drop Norway Slur

In the view of the Religious Information Bureau of the Supreme Council, Knights of Columbus, Norway must be considered guilty until proved innocent of an unsubstantiated charge recently leveled against the country by the Roman Catholic lay organization (*Church and State*, June). In May, Tor Myklebost of the Norwegian Information Service in Washington had written to the Bureau (4422 Lindell Boulevard, St. Louis 8, Mo.) explicitly denying that Norway's established Lutheran Church exercised control over non-Lutheran marriages—"A fact," he added, "which you may ascertain by communicating with the Catholic Bishop of Oslo." He asked the organization to do its "utmost" to rectify its "mistake," which had been published in newspaper and magazine advertisements all over the United States. On June 8, the Rev. Donald V. Sallon, C. M. (Congregation of the Mission), replied to Myklebost on behalf of the Knights of Columbus, saying:

"I hasten to assure you that we try to be most careful in all our advertisements that no statement appears which is inaccurate much less untrue. The statement made was based on a statement of Bishop Griffiths of the Military Ordinariate [in the United States] which you can find in *Newsweek* Magazine for January 10, 1955. Until now, we have had every reason to believe the truth of that statement (with the one exception that Bishop Griffiths used the term 'Lutheran' instead of 'non-Catholic') and will continue to do so until evidence of the contrary is presented. Incidentally, it is our policy never to mention the name of any non-Catholic church.

"If you will furnish us with evidence that there is no Norwegian law which requires the above-mentioned approval or permission, we

will immediately change this advertisement, which is scheduled to appear in a number of other publications in the future.

"Your request was entirely reasonable if, in fact, your denial of the truth of our statement can be substantiated. We appreciate your bringing the matter to our attention and await your further advice."

The letter ignored Myklebost's suggestion that the Religious Information Bureau check with the Roman Catholic Bishop of Oslo on the accuracy of its charge. Also ignored was the fact that Bishop Griffiths' statement quoted in *Newsweek* of January 10 had been answered by Myklebost in a letter published in *Newsweek* of February 21, in which Myklebost had also suggested that Bishop Griffiths communicate with the Roman Catholic Bishop of Oslo for affirmation or denial of his charge.

Since neither Bishop Griffiths nor Father Sallon have indicated willing-

ness to seek verification from Roman Catholic officials in Norway, Myklebost has written to Jacob Mengere of the Norwegian foreign office asking that the Bishop of Oslo be requested to make a statement. No word has been received from the Norwegian bishop as this issue of *Church and State* goes to press.

Greenland and Saudi Arabia had also been accused in the same advertisement which had slurred Norway, and replies from embassy officials of those countries have already been printed in *Church and State* (June). On June 13, Marselis C. Parsons, Jr., officer in charge of Northern European Affairs for the United States State Department, in a reply to a letter of inquiry from Managing Editor Stanley Lichtenstein, indicated that the State Department's understanding with the three countries named in the advertisement was as described in the replies from officials of those countries to *Church and State*.

THE POT AND THE KETTLE



California Rules on School Bible, Prayer, Property-Lease Questions

"The Bible may not be read in public school classes for religious purposes. It may be used for reference, literary, historical or other non-religious purposes.

"The Gideon Bible may not be distributed through the public school system.

"Religious prayers may not be made a part of the curriculum of the public schools."

These conclusions were reached by California Attorney General Edmund G. Brown and Deputy Attorney General George G. Grover in Opinion No. 53/266, handed down on June 10 in response to questions raised by the State Board of Education and various county officials. On the same day, the Attorney General's office answered other questions involving the use of public property by religious groups, in another comprehensive opinion (No. 53/174) which had been sought by county legal authorities. This opinion held:

"There are no constitutional objections to sale or lease of public property to religious organizations for religious or other proper purposes, provided legal sale or leasing procedures are complied with, and provided the property is not needed for public purposes, or there is no interference with the primary public purposes for which the property is held.

"Short-term leases of school real property for periods of a few hours each day are not authorized; sections 18601-18614 of the [State] Education Code are designed to make possible the leasing of school property on a long-term basis where the property is not needed at all for educational purposes.

"Voluntary student religious associations may hold their meetings on a school campus, provided there is no endorsement of such associations by the school authorities, and provided there is no interference with the regular educational program of the school."

The inquiry concerning Bible-reading was put before the Attorney General by the State Board of Education because of recent bills in the state legislature calling for inauguration of a public school religious program. "Is it permissible," the state board was moved to ask, "to read, without comment, excerpts from a recognized version of the Bible in the public schools of California as a part of the school program?"

In reply the Attorney General cited

with approval earlier opinions on the question by his predecessors, Attorney General U. S. Webb (1903) and Attorney General Earl Warren (1939), the latter being the present Chief Justice of the United States Supreme Court. Attorney General Brown then proceeded to a detailed analysis of the question as currently presented, at the same time reviewing state and federal constitutional provisions and court interpretations. The following points were made:

Article IX, Section 8 (prohibiting public support of "sectarian or denominational" schools and the teaching of "sectarian or denominational doctrine" in public schools) and Article I, Section 4 of the California Constitution (guaranteeing the "free exercise and enjoyment of religious profession and worship, without discrimination or preference,") are the controlling state provisions on this question. The California Supreme Court in the case of *Evans v. Selma Union High School District* (1924) observed: "... we have no doubt that the term 'sectarian' was used in its broad signification [*i. e.*, referring to all differences between the major faiths rather than to the peculiar teachings of individual sects within a major faith]." In holding that the King James Bible could be used in public school libraries, the Court emphasized that classroom use of the Bible "in devotional exercises or for religious instruction or as a textbook" would present an entirely different question, for "it might then be well argued that such circumstances amounted to an implied declaration that this version was the only true version of the Scriptures, and that all others were false in so far as not in accord therewith. So used and under such circumstances, it might be justly claimed to be used as a basis for sectarian instruction." Attorney General Brown concludes that the law, in the Court's interpretation, "permits, for reference purposes, the non-preferential acquisition of the Bible or the great religious books of other faiths, such as 'the Talmud, Koran, and teachings of Confucius' ..."

The California constitutional con-

vention of 1879, the Attorney General notes, rejected "a direct proposal that moral instruction in the public schools be based on the Bible," and the 1849 convention had adopted language from the New York Constitution which more emphatically provided for separation of church and state than did the language of the Virginia Constitution, which some delegates had offered as a model.

'Voluntary' Fallacy

Even though Biblical readings might be made "voluntary" in the public schools, Attorney General Brown held, the practice would still be unlawful. "The constitutional guarantee is concerned with more than the problem of physical compulsion; in broad terms it forbids any type of 'discrimination or preference' in the 'enjoyment of religious profession,'" he noted. "Thus, if the public schools were to be opened each day with the saying of Mass, that would be a religious preference even though non-Catholic students were permitted to absent themselves. Similarly, a State gift to the Methodist Church would constitute a preference. In the reading of the Bible there would be a preference in the fact that the school would be endorsing certain religious ideas to the exclusion of others."

In addition, the California Attorney General referred to recent United States Supreme Court decisions which "suggest that Bible reading in the public schools would violate the United States Constitution." These included the *Everson* (1947), *McCollum* (1948) and *Zorach* (1952) decisions, each involving church-state

(Continued on next page)

Church and State

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CHURCH AND STATE

NEWS From Far and Near

◆ Twelve per cent of American children are educated in non-public schools, many of them religious, the Commission on Intergovernmental Relations noted in its report of June 28. "The inclusion of these schools in any program of Federal aid," the 25-member commission continued, "would raise difficult legal questions and policy issues."

◆ To satisfy the Roman Catholic Church, certain revisions have been made in the draft of a new Guatemalan constitution which is to be considered by the National Constituent Assembly this month. The phrase, "without any pre-eminence," has been dropped as a modifier of the guarantee of "the free exercise of all religions." Inserted after the guarantee of freedom of education is the promise that "a law will regulate matters pertaining to the teaching of religion in official schools." Not deleted, however, is another clause saying that "the state will not teach it [religion] and it is declared optative." The actual significance of the changes is difficult to ascertain as of this writing.

◆ Protestant and Jewish members of the Montgomery (Alabama) Ministerial Association unanimously resolved on June 6 to "respectfully memorialize the President of the United States and the Senate . . . that no steps be taken at this time, or at any other time, to name an ambassador or other legal or personal representative to the Vatican or to any other religious body." The action was taken after Robert S. Allen reported in his syndicated column on May 31 that Representative John J. Rooney of New York, chairman of a House appropriations subcommittee having jurisdiction over State Department funds, was slated to ask the President to initiate renewed diplomatic relations with the Vatican. No public word has come from Rooney, but Representative Victor L. Anfuso, also of New York, wrote to President Eisenhower on June 24 urging, among other things, that U. S.-Vatican diplomatic relations should be resumed now as a gesture of U. S. sympathy with the Roman Catholic Church in its recent Argentine difficulties.

◆ Repeal of the constitutional ban on Jesuit activities and the founding of new convents and religious orders has been voted unanimously by the 44-member Swiss Council of States, the upper house of Parliament. The 196-member National Council (lower house) and the 7-man Federal Council (Cabinet) are yet to act on the move. Article 51 of the Constitution not only bans the Jesuit order but also provides: "This ban may be extended also, by Federal decision, to other religious orders whose activity is dangerous for the state or which disturbs the peace among the confessions." Article 52 forbids the founding of new convents or religious orders as well as the re-establishment of those already suppressed.

◆ A bill (S. 2137) to raise the West Point chaplain's salary and create an assistant chaplaincy, with the Secretary of the Army filling the posts rather than the President, has been introduced by Senators Saltonstall and Russell. Old controversies may be revived as it is considered: Is it fair to honor the "tradition" that the chaplain must be an Episcopalian? Should a regular, denominationally-rotated military chaplaincy be set up to replace the present civilian chaplaincy? Is it right for West Point to hold a Sunday service from which Roman Catholic and Jewish cadets must be "excused," and which is compulsory for others? Meanwhile, the whole idea of government-paid chaplains continues to be called in question by some Lutheran leaders who argue that the system should be scrapped in favor of an arrangement under which church-paid chaplains would be assigned by their churches in the same manner as war or military correspondents are assigned by newspapers (see June issue of *The Lutheran Chaplain* for an airing of both sides of the dispute). . . . In Australia, three church-paid chaplains were recently assigned to state technical schools, the first to occupy full-time posts of this kind in the British Commonwealth of Nations.

California Ruling

(Continued from page 2)

relations although not specifically concerned with the Bible-reading question. As a case directly in point, Brown also cited *Tudor v. Board of Education*, a Gideon Bible-distribution case decided by the New Jersey Supreme Court in 1953 (*Church and State*, January, 1954).

In answer to a question presented by the District Attorney of San Mateo County, Brown held that Gideon Bibles could not constitutionally be distributed in California public schools, but said that private distribution of the Bibles "to children on their way to and from public schools" would be lawful provided that school officials and property were not involved in any way.

Prayer

"May the governing board of a public school district require that each teacher read a prayer to the class each morning, in the following form: 'Almighty God, we acknowledge our dependence upon Thee and we beg Thy blessings upon us, our teachers, our homes and our country?'" This question, presented by the County Counsel of San Bernardino County, was answered by Brown in the negative and with the further observation that even if the prayer were made permissive rather than mandatory it would still be unlawful. "It hardly seems open to debate," the State Attorney General said, "that a public school teacher may not be required to recite a daily prayer, for no one may be compelled to perform a religious ceremony as a condition of his employment by the state or a subdivision of the state. By the same token, neither may any public school student be required to participate in the offering of prayers." On the "broader" question which would be presented by a voluntary program, Brown observed:

"It is true that the majority of our people are Christians or Jews, so that simple prayers to a Supreme Being would not be incompatible with the views of most students in the public schools. Nevertheless, even atheists and agnostics are protected in their beliefs by the Constitution. . . .

". . . For atheist or agnostic children, daily prayers would be a constant reminder of the conflict between home and school, and might well be a disruptive element which would weaken the moral influence of parent and teacher alike."

Bringing POAU to Your City

Why a Local Chapter?

- A chapter is the organized group of POAU members and other community leaders. The group elects its own directors, who in turn designate the officers. The chapter is chartered by Washington POAU headquarters and is authorized to carry on a program of education, action, membership solicitation and sponsorship of public meetings.
- A local chapter enables citizens who believe in religious liberty to meet one another and to organize for the purpose of carrying out the objectives of the national organization as set forth in the POAU *Manifesto*.
- In each American community are POAU members, clergymen, educators, lawyers and other leaders who can, through a chapter, inaugurate an educational program on the constitutional principle of separation of church and state.
- Individual members of POAU can take the initiative in organizing such a local chapter by contacting the Department of Organization, POAU, 1633 Massachusetts Avenue, N.W., Washington 6, D. C.

+

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For only \$3.50, you can have all the issues of *Church and State* for the first seven years of its existence (1948 through 1954), bound in a single volume, with indexes. Fill out the blank below and return to POAU today:

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4

How You Can Organize A POAU Chapter

1. Write to national POAU Department of Organization for a portfolio of suggestions.
2. Point out the need of a chapter to leaders in your community—clergymen, educators, lawyers, lodge officers and others. National POAU also will furnish names of interested persons in your city.
3. Report your progress to national POAU. Decide on the time and place for a meeting of leaders.
4. Hold a meeting of a dozen or more selected citizens including those previously contacted. Play a recording provided by national headquarters at this meeting. Appoint a chairman, vice-chairman, and scribe, and complete the organization committee. Send an application to POAU for an official charter. Start compiling a list of candidates for 18 directorships of the new chapter.
5. Schedule a meeting to elect the 18 directors of the new chapter. Plan a brief but effective program. Directors will elect their own officers following this meeting, reporting this information to the Washington office.
6. Arrange a meeting of the elected directors, their new officers, local POAU members and guests. Presentation of the official charter should be made at this meeting by a national POAU staff executive or board member. The new chapter in your community is now ready to accept memberships and to do business as the official agency of national POAU in your area.

Your National Department Aids You

Your POAU Department of Organization at Washington headquarters is eager to serve POAU chapters, religious liberty committees, churches, seminaries and individual POAU members.

The Department will endeavor to:

- Assist in the organization of local POAU chapters;
- Set up a religious liberty committee within your church or denominational area;
- Initiate educational projects within your community or denomination through mailings, distribution of literature and personal contacts;
- Provide displays and free literature for denominational and other conventions;
- Set up a drive for increasing the membership of a local chapter;
- Furnish speakers on religious liberty for denominational meetings, chapter groups, and public meetings. (A dozen speakers are now available);
- Set up large public rallies (More than 200 meetings have been sponsored from coast to coast, attended by more than 100,000 people);
- Provide audio aids in the form of three sets of recordings for chapter meetings, church gatherings, seminaries and colleges as well as for radio;
- Assist with the public relations aspects of presenting the facts of religious liberty to a given area.

Write to Washington POAU headquarters stating your specific needs.

CHURCH AND STATE

Local Chapters in Action

Recent Chapter Activities

CALIFORNIA

San Diego presented Emmett McLoughlin, former priest and now Phoenix, Arizona, hospital superintendent, as rally speaker.

FLORIDA

Jacksonville sponsored appearance of author Paul Blanshard and POAU Executive Director Glenn L. Archer at rally in Scottish Rite Temple.

ILLINOIS

Chicago heard report on the Seventh National Conference on Church and State by Chicago's representative at the annual POAU conference, Secretary Frederick Haag.

KENTUCKY

The Free Public Schools Committee is currently supporting two court actions for the preservation of Kentucky's free public education system.

MISSOURI

The **St. Louis** Chapter was victorious in opposing private and parochial school bus bill at the state capitol. **Kansas City** and **St. Joseph** Chapters cooperated in this legislative battle.

NEW YORK

Westchester County. A county-wide drive for new POAU members is under way.

New York City. National Executive Director Archer spoke before Manhattan Ministerial Association.

NORTH CAROLINA

National POAU staff members are speaking before two Baptist Convention meetings this year.

OHIO

Toledo. National POAU staff members met with selected leaders to launch a new chapter. A strong committee has been formed.

Cleveland. Dr. William A. Cook of the POAU staff spoke at a membership meeting of the chapter. New directors and officers have been announced.

TENNESSEE

Nashville. Executive Director Archer spoke before the national leaders of the Methodist Church describing the activities and objectives of POAU.

Program Ideas for 1955-1956

Many of the following suggestions are from chapters throughout the nation. National POAU presents additional ideas in the "POAU Chapter Bulletin."

Summer

Play the Seventh POAU Conference recording, "Proclaim Liberty Throughout the Land" before church, club and household groups.

Provide free literature displays for summer religious conferences in your area.

Confer with your local ministerial association or church council on assisting in the Reformation Week celebration.

Program, publicity and membership committees of the chapter should prepare suggestions for chapter action in September.

Autumn

Sponsor a public religious liberty meeting in a large church auditorium. National POAU will cooperate and provide a speaker.

Appoint nominating committee to bring in slate of directors at annual meeting.

Provide books on religious liberty for public and church libraries.

Select chapter representatives to attend the Eighth National Conference on Church and State, Constitution Hall, Washington, D. C., January 25-26, 1956.

Winter

Hold annual chapter meeting with selection of officers. Provide a program panel of community leaders on, "The Meaning of the Belgian and Argentine Crises in Church-State Relations."

Schedule an invitational meeting for ministers and educators to hear report of representative attending the Eighth Annual Conference in Washington.

Spring

Co-sponsor with National POAU a public religious liberty rally.

Prepare graphic display for a store window, church convention hall or other groups.

Launch a POAU membership drive with assistance of national office.

Appoint a special organizing committee to start a new chapter in a neighboring city, or within a denominational group.

Schedule capable chapter speakers for nearby seminaries, clubs, churches and other groups.

Lutheran Editor, Rabbi, Priests Agree Baccalaureates Should Go

"The history of Baccalaureate troubles would make quite a volume," observed O. G. Malmin, editor of *Lutheran Herald*, in an editorial of March 15, 1955. Although realizing that he might be "poking a tentative finger into a very active hornets' nest," Editor Malmin ventured in that editorial to propose a solution for the "troubles," little suspecting at the time that his words would be shown to have direct practical application in his own city (Minneapolis, Minnesota) by events transpiring a few weeks later.

The first loud explosion was touched off by Roman Catholic and Protestant fundamentalist reaction to an Easter address by a Presbyterian minister at a Hi-Y sponsored program in Southwest (Public) High School on April 1. Under the headline, "Students Protest Un-Christian And Un-democratic Easter Service at S. W.," the May issue of *Contacts*, Catholic Youth Center publication, charged that the speaker, the Rev. Dr. Morris C. Robinson, had "told the students that the Resurrection, Hell and Judgment are all legendary myths" and that as a consequence Roman Catholic parents were "signing a statement demanding that their youngsters be absented from any future programs at Southwest, including Baccalaureates, Easter, Christmas and Thanksgiving programs." Priests of St. Thomas the Apostle and Christ the King parishes sanctioned the petition-signing, and the Rev. Wilson A. Katter, pastor of the City of Lakes (Assemblies of God) Chapel revealed that he, too, had protested to Dr. Robinson that the latter's talk had attacked orthodox Christian doctrine. Dr. Robinson, pastor of Grace Presbyterian Church and secretary of the Minneapolis board of public education, denied the charges, citing the text of his address as evidence. Under the title, "They Live Forever," he had recounted the story of some American sailors who had gone down with the battleship *Yorktown* during World War II, and then analyzed the different meanings of the "immortality" ascribed to these men by disciples of various philosophies and religions, both orthodox and unorthodox. Although Dr. Robinson made it clear that, personally, "I believe in God, I believe in personal immortality, I believe that Harry of the *Yorktown* and his companions and all others who have died are alive forevermore," some persons in his audience apparently became confused and attributed to him the views of others whom he had cited as exponents of rival beliefs.

"In the city of Minneapolis," *Lutheran Herald* Editor Malmin observed in a June 7 follow-up editorial, "we have justly prided ourselves on the excellent relations which exist between people of varying faiths. It is a church-going city, filled with hundreds of large, active congregations, Protestant, Catholic, and Jewish. In the twenty-odd years the editor has made this his home, he can recall no previous instance where difference in religious faith has entered in to disrupt even a small part of the community."

"It was left for the 'Baccalaureate' question to do that. True, it was not a graduation service that started it, but it was the impending commencement exercises that brought it to a head. It started with a so-called 'Easter program' which was held in one of the city's high schools. . . ."

The Lutheran editor proceeded to quote "with complete agreement" certain remarks of the Rev. Joseph Baglio, Catholic Youth Center director, to the effect that "no Catholic, no Protestant, or no Jew should be coerced to attend any service offensive to his principles."

"From that point on, however," Dr. Malmin continued, "we find ourselves in disagreement with the priest. He went on to state that in the past 'teachers in charge of the programs have thoughtfully gone over them with Catholic elements so they would not be offensive.' Such a procedure he evidently approves, which simply points up the totally impossible situation when religion of a sectarian nature gets into the public schools. One wonders if also the Lutheran, and Presbyterian, and Jewish, and atheistic 'elements' were similarly consulted, lest something give also those 'elements' offense. . . ."

In the first of his two editorials on the subject, Dr. Malmin had offered his solution to the problem, saying: "It has always seemed to us that there should be a sort of Baccalaureate service in every congregation in the community, not as a part of the Commencement exercises, but as a recognition of the attainment of its young people who graduate."

The baccalaureates question flared

up next at Beardsley and St. Louis Park, Minnesota, causing cancellation of scheduled Beardsley public high school exercises and a public controversy at St. Louis Park in which the rabbi who had conducted the high school baccalaureate services agreed later that they had been ill-advised. The latter, Rabbi Stanley Rabinowitz, commented that he had done so "only because I assumed that it was a long-standing practice." He noted that although he "took great pains to formulate a non-sectarian service," even this "met with objections based on the logical application of Catholic theology," and then observed:

"... any manner of religious observance in the public school, even when planned with the best of intentions, cannot help but create ill-feeling and a divisiveness that will affect not only the community but the children in the school as well."

+

Church Grieves as School Bill Gains in Belgium

Belgian flags were flown at half-mast last month by "faithful" Roman Catholics who went into virtual mourning as the Government's bill for reducing subsidies to religious schools passed the Lower House of Parliament and seemed to enjoy favorable prospects for passage in the Senate. The vote was 111 to 1, and was taken following a walk-out of the 95 Social Christian (Roman Catholic) House members. It had been the longest session in Belgian parliamentary history—34 hours continuously, after three weeks of preliminary debate.

Ten days later, a rioting crowd of 25,000 wrecked a waterfront cafe in Ostend in an effort to force Prime Minister Achille Van Acker's son to join their demonstration against the education bill. A minor provincial government official, the son, Franz Van Acker, had been discovered sitting in the cafe by some demonstrators from his home town of Bruges, and the mob attempted to seize him. He was rescued, unhurt, by plain-clothes police and state troopers. Shortly afterward, a Christian Trade Union demonstrator, M. Slambroeck, collapsed and died of a heart attack during the riot. Violence also occurred during a protest parade in Ghent. The flags were flown at half-mast in Limburg Province and demonstrations were also held in Antwerp and Courtrai.

CHURCH AND STATE

Church Dispute One of Many Factors in Argentine Revolt

When all the facts are considered, the bloody, short-lived revolt of June 16 against the government of Argentine President Juan D. Peron can hardly be said to have been a manifestation of popular indignation over Peron's treatment of the country's "established" church. During ten years of "strong man" rule Peron had made many enemies, and his feud of the last few months with the Church hierarchy which had long supported him merely provided a favorable opportunity for the attempted revolution.

"The church question was only incidental," a naval aviation lieutenant told a *New York Times* reporter afterwards in Montevideo, Uruguay, where he had fled with other rebels. "What we want is freedom such as you see here in Uruguay. Freedom to think and say what we want."

It was no accident that Navy and Air Force men led the revolt. Argentina had long been beset by interservice rivalries and Peron, an Army man, had been regarded as an "upstart" from the very first by officers in the other services.

The President's ruthlessness in imprisoning and torturing political opponents had left a steadily deepening legacy of hatred.

His improvident economic policies made it impossible for him to fulfill promises of improved conditions which he had repeatedly made to the country's workers.

News of an excommunication decree which the Vatican had issued against all Argentine officials who had "trampled on" the Church came almost simultaneously with the revolt, too late to have been a "cause" of the uprising. Indeed, the news service of the National Catholic Welfare Conference in Washington, after noting that "Argentina's constitution requires that its president be a Catholic," cited Catholic University canon law scholars who emphasized that "General Peron is still a Catholic even if he is excommunicated," and added: "Once a person is baptized, he always remains a Catholic. . . . A person's excommunication means that he cannot exercise his rights, but it does not mean that he is no longer required to fulfill his duties." His first duty, they continued, is "to do whatever is necessary to have the ban of excommunication removed." In other words, hope was still being entertained for a reconciliation between the dictator and his old allies, the ruling Roman Catholic prelates in Argentina.

Further evidence of this yearning

was given by Auxiliary Bishop Manuel Tato of Buenos Aires, who was expelled by Peron from the country, along with a fellow diocesan official, Msgr. Ramon Pablo Novoa, on June 15. Arriving in Rome by air the next day, Bishop Tato observed: "Peron himself until recently was an active Catholic. But sometimes even in our Lord's flock sheep can be led astray by black sheep." Thus, Peron the dictator, the suppressor of free newspapers, the torturer of political dissenters, had been acceptable to the top leaders of the Church so long as he had remained an "active Catholic."

This fact has been largely obscured in the treatment given the Argentine crisis by American newspapers and magazines. An exception was the June 9 Buenos Aires dispatch of Edwin A. Lahey, *Chicago Daily News* correspondent, noting:

"Some bitter individuals challenge the Catholic Church's credentials as the new opposition force against Juan Domingo Peron in Argentina.

"These people feel it took the Catholic hierarchy in Argentina a long time to discover that Peron was an evil influence.

"The Church did give strong support to Peron when he was first elected in 1946, in return for his promise to install religious instructors in the public schools.

"A few priests and democratically minded laymen who protested at that time that it was a mistake for the Catholic Church to identify its interests with Peron were frowned upon.

"Church leaders were silent when Peron destroyed the free trade unions in Argentina and set up his own house-broken organization of workers called the CGT.

"The church even accepted the ruling of Peron's Minister of Education that a heavy percentage of the material in school textbooks had to be dedicated to the personal praise of Peron and his works."

Most of the comment in the American press, however, was far less frank than Lahey's. The *New York Times*, *Washington Post* and other eminent papers touched lightly on the

Church's long-time collusion with the Argentine despot, and then only deep down in their articles and editorials. They emphasized, instead, the untenable theme that the Church was playing a heroic role of martyrdom in the dramatic struggle.

Like Lahey of the *Chicago Daily News* service, Max Lerner ran coun-

(Continued on page 8)

Bradfordsville Maintains School Strike Solidarity

As in countless other American communities, school was out last month at Bradfordsville, Kentucky. As a matter of fact, school had been "out" all year in that community, and *The Lebanon Enterprise* observed:

"The 1954-55 school year at Bradfordsville ended last Friday as it had begun nine months earlier—with a mass demonstration in defiance of the Marion County Board of Education's order closing Bradfordsville High School.

"The meeting marked the end of a school term that probably is without precedent in the history of Kentucky public-school education—not a single school child set foot in a Bradfordsville classroom during the entire nine-month period."

"We've been peaceful and we've threatened no one, but, thank God, not a soul has crossed our picket line," said Don V. Drye, Sr., a "strike" leader, adding that this was an accomplishment that might well be the envy of the country's labor unions. (All Bradfordsville elementary and high school pupils have refused to attend classes as a protest against the closing of the high school, which they allege was a case of discrimination by the county school board in favor of the St. Charles and St. Francis "public"-parochial schools in other parts of the county.) Other rally speakers included the Rev. Ellis Hamm of the Perryville Baptist Church, the Rev. Thomas Thurman of the Springfield Christian Church and the venerable Dr. James C. Rawlings, retired Methodist minister. The latter is the plaintiff in the suit to oust garbed Roman Catholic sisters from public school teaching posts in six counties, now under appeal from an adverse decision of Franklin Circuit Judge William B. Ardery. Judge Ardery will also rule on a suit brought by Bradfordsville residents for reopening of their high school, and his decision is anxiously awaited.

Maine Maritime Academy Keeps Anti-Sect Ban

In the face of a drumfire of Roman Catholic charges that it has shown a "callous disregard" for students' religious needs, the Maine Maritime Academy reaffirmed last month its policy of prohibiting on-campus religious activities while granting what it considers ample free time in which students may engage in off-campus worship. Unmoved by the intervention of a United States Congressman who had introduced a bill to cut off federal funds for the institution, the Academy's board of trustees rejected allegations made against it by the Rev. John McVicar of Bucksport and Roman Catholic Coadjutor Bishop Daniel J. Feeney of Portland.

The story made headlines after Bishop Feeney, in an episcopal letter first published on June 3 in *The Catholic World* at Portland, accused Rear Admiral W. W. Warlick (United States Navy, retired), Academy superintendent, of having exhibited "a callous disregard for the religious life of its Catholic students." The Bishop declared that a new administration set up two years ago by Admiral Warlick and Ralph A. Leavitt, chairman of the board of directors, had ended a "friendly relationship that existed for five years or more" between Academy officials and the Rev. John McVicar, whose parish is located six miles away in Bucksport. Two weeks earlier, Bishop Feeney complained, Father McVicar had been forced to "sit in his car on the campus for nearly two hours in order to hear students' confessions" because he "still is not admitted to any buildings on the campus for religious purposes." The Bishop added that

he had appealed in vain for "corrective measures" to the admiral and Leavitt and then to Senator Margaret Chase Smith.

Admiral Warlick counter-charged that Bishop Feeney was "pressing for special privilege." Nobody, he said, "is starved religiously" at the Academy, and pointed out that "nearly every cadet" goes home three week-ends each month and that Sunday liberty parties are made up regularly to permit attendance at a Catholic chapel only three blocks from the campus, as well as at churches in Bucksport. The admiral observed that Father McVicar "does not choose to use" the chapel for services except in summer months and added, "it seems to me he should use it."

On June 7, Congressman Francis E. Dorn of New York leaped into the fray by introducing a bill into the House of Representatives in Washington to cut off federal funds for the Academy if it did not yield to the Bishop's demand. The bill, H. R. 6684, was to "provide that marine schools established under the provisions of the Act of March 4, 1911, which prohibit participation in religious worship on their premises shall not receive Federal aid." It was referred to the Committee on Merchant Marine and Fisheries and has not been acted upon as of this writing.

The Academy board of trustees, meeting less than a week later at Castine (where the Academy is located), upheld existing policy. The board emphasized that Castine as well as neighboring towns had church facilities of various denominations and any clergyman "is welcome to visit any cadet during his free time and at other times when circumstances warrant."

Madrid Court Paves Way For Some Mixed Marriages

A first step toward meaningful application of Spain's constitutional guarantee of freedom of worship (Article 6 of the *Fuero de los Espanoles*, or Bill of Rights) was taken on June 18 by the Court of Appeals in Madrid. Reversing lower court rulings, the Appeals Court held that Fidel Gines Izquierdo of Puer-tollano, Andalusia, could validly contract civil marriage with his non-Catholic fiancée, Maria Josefa Torres Gonzalez of Madrid, even though Izquierdo had been baptized as a Roman Catholic. Such a marriage had been considered illegal before, although last February Generalissimo Francisco Franco personally intervened to bring about legal clearance for the marriage of two Protestants who had been baptized as Roman Catholics, a move followed by two other "Protestant" marriages of similar nature and a third involving a born Protestant and a convert to Protestantism (*Church and State*, March and April).

Until the present decision, however, Article 6 had been a mere paper declaration of purpose never fulfilled by implementing laws or interpretations, and Franco's executive action in the case cited above had been exceptional. A March 10, 1941 order of the Ministry of Justice had allowed civil marriages only for persons who "do not belong to the Roman Catholic Church and who can supply documentary proof of their non-Catholic status. . . ."

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Argentina

(Continued from page 7)

ter to the whitewashing trend by looking squarely at the record in his comment of June 17 in the *New York Post*. He used the heading, "Peron and the Three Pillars," and recalled the evidence presented by Professor Robert J. Alexander in his book, *The Peron Era* (Columbia University Press, 1951, \$3.50), demonstrating that the Church was one of the "pillars" upon which the Peron dictatorship rested—the other two being the Army and labor.

Against the general tenor of press comment, the *Christian Science Monitor* observed on June 18: "Surely in a country so rich and diverse as the Argentine Republic there are human resources for a better regime than either a politico-military dictatorship or a clerically dominated state."

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